

## Message Text

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45

ACTION EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 INR-09 NSAE-00 RSC-01

TRSE-00 EUR-25 AEC-11 ADP-00 RSR-01 /059 W

----- 101422

R 201530 Z MAR 73

FM AMEMBASSY WARSAW

TO SECSTATE WASHDC 3105

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EXCON

E. O. 11652: N/ A

TAGS: ESTC, ETRD

SUBJECT: EXPORT CONTROL: CYBER 72

REF: ( A) STATE 37156; ( B) STATE 38177; ( C) STATE 39141

FORM COMMERCE - ATT DAS LAZARUS

1. UPON THEIR RETURN FROM THE U. S., PROFESSORS MINCZEWSKI AND ZELAZNY CALLED THE EMBASSY TO EXPRESS APPRECIATION FOR THE MANNER IN WHICH THE PENDING EXPORT LICENSING CASE FOR THE CDC 6400- BASED " CYBER 72" COMPUTER SYSTEM HAD BEEN HANDLED IN WASHINGTON.

2. SINCE THAT TIME, HOWEVER, CERTAIN ADDITIONAL UNCLEAR AREAS HAVE ARISEN. ALTHOUGH THE POLISH SCIENTISTS ORIGINALLY UNDERSTOOD THAT ADDITIONAL INFORMATION WOULD BE REQUIRED FROM THEM ON SAFEGUARDS, THEY BELIEVED LICENSING AUTHORITIES AT THE WASHINGTON MEETINGS FELT THIS ADDITIONAL INFORMATION HAD BEEN ADEQUATELY CONVEYED IN THE COURSE OF THOSE MEETINGS. THE FACT THAT THIS IS EVIDENTLY NOT THE CASE HAS CAUSED SOME PUZZLEMENT, WHICH WE HAVE ATTEMPTED TO OVERCOME BY EXPLAINING THAT, IN ORDER TO BE A PART OF THE LICENSING APPLICATION, ADDITIONAL QUESTIONS WOULD HAVE TO BE ANSWERED IN WRITING. THE POLISH ORGANIZATIONS INVOLVED UNDERSTAND THIS, AND

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ARE PREPARED TO FURNISH IN WRITING WHATEVER ADDITIONAL INFORMATION MAY BE REQUIRED, THOUGH THEY INDICATE THAT CDC HAS SUFFICIENT INFORMATION TO ANSWER THOSE QUESTIONS WITHOUT THEIR HELP.

3. AT THE SAME TIME, WE UNDERSTAND CDC MAY ALSO HAVE ENCOUNTERED SOME DIFFICULTY IN PROVIDING ADDITIONAL INFORMATION. ACCORDING TO CDC'S TECHNICAL REPRESENTATIVE HERE (HERMAN SPUNDA) ADDITIONAL QUESTIONS RECENTLY RECEIVED FROM CDC WASHINGTON BY THEIR OFFICE IN VIENNA WERE RELATIVELY UNSPECIFIC AND WERE THEREFORE DIFFICULT TO ANSWER IN TECHNICAL DETAIL. WE ARE TOLD THAT CDC VIENNA HAS MADE AS COMPLETE A RESPONSE AS IT FEELS IS POSSIBLE AND AT THE SAME TIME HAS REQUESTED FURTHER FROM WASHINGTON CLARIFICATION. BASED ON THE RATE OF ADVANCE OBSERVED BY CDC IN THIS CASE, THEY ALSO NOTIFIED THE POLISH SCIENTISTS THAT IT WOULD PROBABLY BE MID-MAY BEFORE POSITIVE ACTION COULD BE COMPLETED ON THIS APPLICATION AND THE COMPUTER ACTUALLY SHIPPED. WE UNDERSTAND FROM TALKS WITH CDC AND THE POLISH SCIENTISTS THAT THIS DATE DOES NOT REFLECT ANY PRODUCTION OR DELIVERY DIFFICULTIES FACED BY CDC, BUT IS SIMPLY WHAT CDC FEELS IS A REALISTIC, IF CONSERVATIVE, ESTIMATE OF THE TIME IT MAY TAKE TO OBTAIN FINAL LICENSE APPROVAL.

4. AS THE DEPARTMENT WILL RECALL, THE ORIGINAL CDC TIMETABLE CALLED FOR DELIVERY LATE LAST YEAR. WHILE WASHINGTON ACTION IN THIS MATTER HAS, IN OUR OPINION, BEEN EXPEDITIOUS AND THE US GOVERNMENT COULD NOT BE EXPECTED TO VOUCH FOR THE ACCURACY OF CDC'S EARLIER ESTIMATES, THE STRETCHING OUT OF THIS EARLIER TIMETABLE REPORTEDLY HAS CREATED GREAT DIFFICULTIES FOR THE LARGE SCIENTIFIC INSTITUTIONS INVOLVED HERE.

5. SINCE, AS WE UNDERSTAND IT FROM CDC, COMPLETION OF U. S. LICENSING ACTION PRIOR TO SUBMISSION TO COCOM IS SUBJECT TO FURTHER CLARIFYING INFORMATION WITH RESPECT TO SAFEGUARDS, THE EMBASSY SUGGESTS THAT THE MOST EFFECTIVE WAY TO INSURE PROMPT CONCLUSION OF THIS MATTER WOULD BE IF SPECIFIC QUESTIONS COULD BE FORWARDED TO THE EMBASSY DIRECTLY FROM U. S. LICENSING AUTHORITIES, THROUGH THE DEPARTMENT. WE WOULD THEN CONSULT WITH LIMITED OFFICIAL USE

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THE CDC REPRESENTATIVE HERE AND, THROUGH HIM, MAKE

SURE THAT THE PRECISE QUESTIONS WERE TRANSMITTED  
DIRECTLY TO THE POLISH TECHNICAL EXPERTS BEST ABLE TO  
ANSWER THEM. FOLLOWING SUCH A PRESENTATION, WE WOULD  
EXPECT THE ANSWERS TO FOLLOW NORMAL CDC CHANNELS BACK  
TO WASHINGTON, WITH A CONFIRMATORY PARALLEL RESPONSE  
DIRECTLY FROM THE EMBASSY.

6. WHILE WE REALIZE THIS SUGGESTED PROCEDURE MAY BE UNUSUAL,  
FURTHER DELAYS IN THIS MATTER ARE A GROWING AND UNDERSTANDABLE  
IRRITANT TO THE POLISH SCIENTIFIC ESTABLISHMENT AND MIGHT PROVE  
A SOURCE OF EMBARRASSMENT TO THE USG, IN VIEW OF EARLIER  
MESSAGES REGARDING THE STATUS OF LICENSE, AS CONVEYED  
THROUGH DEPUTY ASSISTANT SECRETARY LAZARUS DURING HIS  
RECENT VISIT HERE.

7. IN ADDITION, WHILE THE POLISH SCIENTISTS INVOLVED  
HAVE SAID THAT THEY ARE PREPARED TO PROVIDE WHATEVER  
ADDITIONAL INFORMATION MIGHT BE REQUIRED, THEY ALSO  
EXPRESS CONCERN THAT ONE SET OF ANSWERS MIGHT LEAD TO  
FURTHER QUESTIONS  
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\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* LIMITED OFFICIAL USE

## Message Attributes

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**Review Authority:** morefirh  
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**Review Content Flags:** ANOMALY  
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**To:** EB  
SECSTATE WASHDC  
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**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005